REMARKS

These remarks and the accompanying amendments are responsive to the Office Action dated August 23, 2007 (hereinafter referred to as the "Office Action"), having a shortened statutory period for response that expired November 23, 2007. A petition and fee for a two month extension of time extending that period for response until tomorrow, January 23, 2008 accompanies this response.

At the time of the last examination, Claims 21-33 were pending, of which Claim(s) 21, 22, 24, 26, 27, 28, 29, 31 and 32 are independent. The Office Action rejected Claims 21, 23-29 and 31, allowed Claims 22, 32 and 33, and objected to Claim 30.

35 U.S.C. 102(e) rejection under Sekine

In particular, Section 2 of the Office Action rejects Claims 21, 23-39 and 31 under 35 U.S.C. 102(e) as being anticipated by United States patent number 6,259,683 issued to Sekine et al. (the patent hereinafter referred to simply as "Sekine"). The undersigned first expresses appreciation to the Examiner for the Examiner Interview held January 9, 2008 with the undersigned. The primary purpose of the interview was to address this 35 U.S.C. 102(e) rejection by pointing out the significant differences between Sekine and the recited claims. The undersigned now provides a summary of that Examiner Interview.

Summary of Examiner Interview Held January 9, 2008

The substance of the interview was the undersigned explaining the difference between "phase difference in phase transmission timing" of Sekine and the "phase difference of a long period spreading code of a common control channel" of the claim.

In particular, the undersigned pointed out the differences that are summarized in the remainder of this paragraph. The present claims each recite *inter alia* a particular operation on

"a long period spreading code of a common control channel". A long code is a scramble code that coverts signals from other cells into noise as described in Applicants' specification at lines 19-24 of page 7. A difference in phase information for the long codes is calculated between two neighboring based stations. An example of such a common control channel is a perch channel. A perch channel is a common control channel that is broadcast by a base station. The mobile station is able to calculate this phase difference information and transmit it to a base station. This can benefits by allow for faster handover since mobile stations can then be notified of a more accurate averaged phase difference information.

The phase difference of phase transmission timing of Sekine is clearly something much different. It is clear that the frame transmission timing is not part of a common control channel. After all, in Sekine, the frame transmission timing to the mobile station is changed in response to the phase difference information in frame transmission timing received from the mobile station. This is not suggestive that the frame transmission timing is in relation to a common control channel.

It was also pointed out that Sekine was used to reject the same claims under 35 U.S.C. 103(a) several Office Actions ago in the Office Action dated August 18, 2006. We responded to that Office Action with similar arguments, and Sekine was later withdrawn presumably in response to the response filed November 20, 2006.

For at least the reasons provided in the Examiner Interview, which is summarized above, and for at least the reasons provided in the prior response dated November 20, 2006 to the Office Action dated August 18, 2006, the undersigned respectfully submits that Sekine describes something very different than the features recited in the present claims. Accordingly, the

rejection of the claims as being anticipated by Sekine should be withdrawn, and withdrawal is respectfully requested.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 22nd day of January, 2008.

Respectfully submitted,

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